

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:16-cr-00076-MR**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRIAN RICHARDSON,

Defendant.

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ORDER

THIS MATTER is before the Court upon the Defendant's Motion for Early Termination of Supervised Release [Doc. 3].

On August 14, 2007, the Defendant was found guilty of possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2), in the United States District Court for the Northern District of Florida. He was sentenced to a term of 120 months' imprisonment, to be followed by 25 years of supervised release. [Doc. 1-1: Judgment]. The Defendant commenced his term of supervised release on March 25, 2016. Jurisdiction of this case was transferred to this Court on June 9, 2016. [Doc. 1]. The Defendant now moves for the early termination of his term of supervised release.

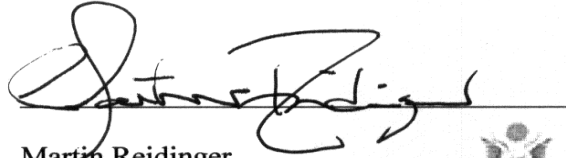
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). Generally, the Court will consider terminating a term of supervised release where the defendant has exhibited exemplary behavior and has served at least two-thirds of the imposed term. Here, the Defendant has completed only three years of his 25-year term of supervised release. While the Defendant's compliance with the terms and conditions of supervised release is commendable, the Court is not satisfied that termination is warranted under the circumstances at this time. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's Motion for Early Termination of Supervised Release [Doc. 3] is **DENIED**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: May 22, 2019


Martin Reidinger
United States District Judge

